

## **REMARKS**

### **Status of the Claims**

- Claims 1-3, 5-12 and 26-29 are pending in the Application after entry of this amendment.
- Claims 1-3, 5-12 and 26-29 are rejected by Examiner.
- Claims 1 is amended.

### **Claim Rejections Pursuant to 35 U.S.C. §103 (a)**

Claims 1-3, 9-12, 26-27, and 29 stand rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0152190 to Biebesheimer et al. (Biebesheimer) view of U.S. Patent No. 6,751,606 to Fries et al. (Fries). Applicant respectfully traverses the rejection.

Applicant amends independent Claim 1 to recite that the implicit feedback data comprises time spent reviewing a specific item of the results list, wherein the time spent is calculated by subtracting any time that a user switched to another application while reviewing the specific item, and wherein the explicit user feedback data comprises (a) a user rating of the quality or usefulness of the specific item reviewed from the results list and (b) the user response to the at least one question concerning the results list as a whole. Applicant also notes that this occurs in a single search session as indicated by other elements of independent Claim 1. Applicant finds support for the amendment in paragraphs 0050, 0051, and 0057 of the as-filed specification.

Applicant submits that the cited art of Biebesheimer operates in a fashion that uses historical user interactions as part of a scheme which can generate a response set that are most relevant to a user's query. This differs from the invention expressed in amended Claim 1 where a context-dependent evaluation of search results acquired during the single search session is conducted, where the evaluation is based at least in part on the determined context data and the determined user feedback data acquired during the single search session.

Applicant respectfully submits that neither Biebesheimer nor Fries teaches a method performed in a single search session that uses implicit and explicit user feedback such that the implicit feedback data comprises time spent reviewing a specific item of the results list, wherein the time spent is calculated by subtracting any time that a user switched to another application while reviewing the specific item, and wherein the explicit user feedback data comprises (a) a user rating of the quality or usefulness of the specific item reviewed from the results list and (b) the user response to the at least one question concerning the results list as a whole along with all of the other elements of amended independent Claim 1.

Biebesheimer teaches a novel mechanism for providing a response set based on user queries and derived user contexts and modifying output response sets in accordance with different user contexts and user interactions as they change over time. (see Biebesheimer, paragraph 0002). Biebesheimer also teaches that the adaptive indexing process is an off-line process that uses feedback from previous user interactions. (see Biebesheimer, paragraph 0019). This contrast with amended Claim 1 which uses both implicit and explicit feedback during a single search session. Fries teaches soliciting a search query from a user (See Fries, Abstract). Examples of these additional search queries appear on Figures 18 and 19 of Fries which indicate solicitations for additional but different searches. Fries fails to teach soliciting explicit user feedback as to the usefulness to the user of the response of the query results that are acquired during a single search session.

Since neither Biebesheimer nor Fries thoroughly teaches all elements of amended Claim 1, then the combination of Biebesheimer and Fries cannot render obvious amended Claim 1 user 35 U.S.C. §103(a) via MPEP §2143.03. Specifically the combination of Biebesheimer and Fries fails to teach at least the Claim 1 element wherein “the implicit feedback data comprises time spent reviewing a specific item of the results list, wherein the time spent is calculated by subtracting any time that a user switched to another application while reviewing the specific item, and wherein the explicit user feedback data comprises (a) a user rating of the quality or usefulness of the specific item reviewed from the results list and (b) the user response to the at least one question concerning the results list as a whole” and is conducted in a single search session. Applicant respectfully requests withdrawal of the 35 U.S.C. §103 (a) rejection of Claim 1 and it dependent claims 2-3, 9-12, 26-27, and 29.

**Claim Rejections Pursuant to 35 U.S.C. §103 (a)**

Claims 5-8 and 17-20 stand rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0152190 to Biebesheimer et al. (Biebesheimer) view of U.S. Patent No. 6,751,606 to Fries et al. (Fries) in further view of <http://Whatis.techtarget.com>. Applicant respectfully traverses the rejection based at least on the dependence of Claims 5-8 and 17-20 on patentably distinct Claim 1. Thus, Applicant respectfully requests withdrawal of the 35 U.S.C. §103 (a) rejection of Claims 5-8 and 17-20.

**Claim Rejections Pursuant to 35 U.S.C. §103 (a)**

Claim 28 stands rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0152190 to Biebesheimer et al. (Biebesheimer) view of U.S. Patent No. 6,751,606 to Fries et al. (Fries) in further view of U.S. Patent No. 6,438,579 to Hosken. Applicant respectfully traverses the rejection based at least on the dependence of Claim 28 on patentably distinct Claim 1. Thus, Applicant respectfully requests withdrawal of the 35 U.S.C. §103 (a) rejection of Claim 28.

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**PATENT**

**Conclusion**

Applicant respectfully requests reconsideration of the pending claims in light of the amendments and remarks presented above. A Notice of Allowance for all pending claims is earnestly solicited because the pending claims patentably define over the cited art.

Respectfully submitted,

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